

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GUSTAVO CONTRERAS,)	
)	
Petitioner,)	3:14-cv-00435-LRH-WGC
)	
vs.)	ORDER
)	
RENEE BAKER, <i>et al.</i> ,)	
)	
Respondents.)	
_____	/	

On April 3, 2017, petitioner filed a motion to reopen this habeas corpus proceeding, which has been stayed to allow petitioner to exhaust state court remedies. ECF No. 32. Respondents have not filed a response to the motion.

Good cause appearing, the court shall reopen proceedings in this matter. In addition, the court shall establish a schedule for further litigation of this action.

In addition, petitioner has filed a motion for the appointment of counsel. ECF No. 33. The court denied petitioner’s request for counsel at the outset of these proceedings. ECF No. 7. Petitioner has not set forth sufficient reasons for the court to reconsider that decision. Thus, the motion shall be denied.

IT IS THEREFORE ORDERED that petitioner’s motion to reopen this habeas corpus proceeding (ECF No. 32) is GRANTED. The Clerk shall administratively REOPEN this action. The stay of this action is lifted.

1 **IT IS FURTHER ORDERED** that the following schedule shall govern the further litigation
2 of this action:


3 1. **Response to Petition.** Respondents shall have **60 days** from the entry of this order to file
4 and serve an answer or other response to the petition (ECF No. 3).

5 2. **Reply and Response to Reply.** Petitioner shall have **45 days** following service of an
6 answer by respondents to file a reply.

7 3. **Briefing of Motion to Dismiss.** If respondents file a motion to dismiss, petitioner
8 shall have **30 days** following service of the motion to file an opposition to the motion. Respondents
9 shall thereafter have **30 days** following service of the opposition to the motion to file and serve a
10 reply.

11 **IT IS FURTHER ORDERED** that petitioner's motion for appointment of counsel (ECF No.
12 33) is DENIED.

13 Dated this 25th day of April, 2017.

14
15 
16 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE